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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	Group Art Unit: 2154
Dingman et al.	§	Examiner: Nabil E. Hady
	§	
Serial No. 09/974,747	§	Atty. Dkt. No. 5854-00301
	§	
Filed: October 10, 2001	§	
	§	
For: MODELESS EVENT-DRIVEN	§	
DATA TRANSFORMATION	§	

I hereby certify that this correspondence is being transmitted via facsimile or deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on the date indicated below:

May 13, 2004   *Pamela Gerik*
Date   Pamela Gerik

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A CO-PENDING APPLICATION

Commissioner for Patents
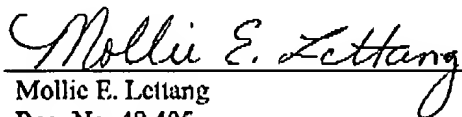P.O. Box 1450
Alexandria, VA 22313

1.   Data Junction Corporation (now known as Pervasive Software) is the owner of all rights in the captioned application.

2.   As sole owner in the captioned application, Data Junction Corporation (now known as Pervasive Software) hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent, granted on pending second Application Serial No. 09/652,473 titled "SYSTEM AND METHOD FOR EVENT-DRIVEN DATA TRANSFORMATION" filed on August 31, 2000. In addition, it is hereby agreed that any patent so granted on the captioned application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

3.   In making the above disclaimer, Data Junction Corporation (now known as Pervasive Software) does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of any patent granted on th second application, as shortened by any terminal disclaimer filed prior to the grant, in the event that any such granted patent: (i) expires for failure to pay a

maintenance fee, (ii) is held unenforceable, (iii) is found invalid by a court of comp tent jurisdiction, (iv) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, (v) has all claims canceled by a reexamination certificate, (vi) is reissued, or (vii) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

4.   Data Junction Corporation (now known as Pervasive Software) certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above.

5.   The Commission is authorized to charge the Terminal Disclaimer fee under 37 CFR 1.20(d) to Conley Rose, P.C. deposit account no. 03-2769/5854-00301.

6.   I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under the United States Code, Title 18 § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: May 13, 2004   By: _Mollie E. Lettang_

Mollie E. Lettang
Reg. No. 48,405
Agent for Applicants